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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC.	:	Case No. 04-CV-08967 (BSJ)(DFE)
Plaintiff,	:	ECF CASE
 - <i>against</i> -		
VISA U.S.A. INC., et al.	:	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE
 Defendants.		

WHEREAS, this action was commenced on November 15, 2004; and

WHEREAS, Plaintiff American Express Travel Related Services Company, Inc. ("Plaintiff"), and Defendants Visa U.S.A. Inc., Visa International Service Association, Bank One, Delaware, N.A., Bank One Corporation, Capital One F.S.B., Capital One Bank, Capital One Financial Corp., Chase Bank USA, N.A., Chase Manhattan Bank USA, N.A., JPMorgan Chase & Co., Providian Financial Corporation, Providian National Bank, New American Capital, Inc., Washington Mutual Bank, U.S. Bank, N.A., U.S. Bancorp, Wells Fargo & Company, Wells Fargo Bank (Arizona), N.A., Wells Fargo Bank, N.A., Wells Fargo Financial National Bank, and Wells Fargo Financial, Inc. (collectively, the "Dismissed Defendants"), wish to discontinue this action as to each other only, and not as to any other defendant;

IT IS HEREBY STIPULATED AND AGREED, pursuant to the Federal Rules of Civil Procedure, by and between Plaintiff and the Dismissed Defendants, through their undersigned counsel of record, that all claims asserted by Plaintiff in the above-captioned action against the Dismissed Defendants only, and not as to any other defendant, are dismissed in their entirety without prejudice, in accordance with the November 1, 2007

Release and Settlement Agreement between American Express and Visa, Inc., Visa USA
and Visa International, each party to bear its own costs and attorneys' fees.

Dated: November 14, 2007

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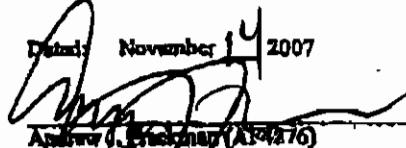
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O'MELVENY & MYERS LLP NY

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Dated: November 14 2007

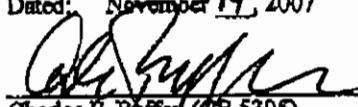


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Dated: November 14, 2007

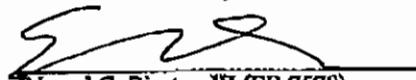
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Dated: November 14, 2007



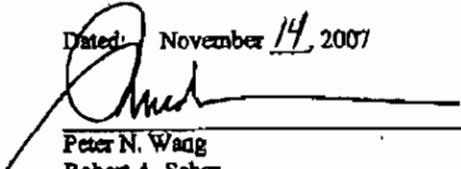
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Dated: November 14, 2007


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SO ORDERED:

Barbara S. Jones
Barbara S. Jones, U.S.D.J.

11/15/07